

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JOSEPH W. HUBER, JR.,

Petitioner, : Case No. 3:11-cv-008

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

WARDEN, Chillicothe Correctional
Institution,

Respondent.

ORDER

This habeas corpus case was dismissed voluntarily and without prejudice on May 18, 2011, on Petitioner's Motion because of concerns about exhaustion of state court remedies (Doc. Nos. 6, 7). On June 5, 2013, Petitioner moved to reopen this case because he had exhausted those remedies (Doc. No. 14). Under S. D. Ohio Civ. R. 7.2, Respondent's time to oppose that Motion expired July 1, 2013, and no memorandum contra was filed.

Accordingly, the Motion to Reopen is GRANTED.

July 2, 2013.

s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge